



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Subcommittee Hearings Tuesday Focus on Section 5 of The Voting Rights Act

What: Oversight Hearings entitled, "The Voting Rights Act: Section 5 of the Act – History, Scope, and Purpose," followed by "The Voting Rights Act: The Continuing Need for Section 5"

Who: Subcommittee on the Constitution – Rep. Steve Chabot (R-Ohio), Chairman

When: Tuesday, October 25, 2005 – 11:00 a.m., followed by 2:00 p.m.

Where: 2141 Rayburn Building

Section 5 of the Voting Rights Act requires those covered states and counties to preclear all election and voting changes prior to enforcing such changes. In submitting an election or voting change, the covered jurisdiction has the burden of proving that such a change "does not have the purpose and will not have the effect of denying or abridging a citizen's right to vote because of race, color, or language minority status."

THESE HEARINGS WILL...

- ⇒ Examine the importance of Section 5 (why it is necessary); the types of voting and election changes the Section 5 pre-clearance process originally addressed (registration, voter turnout, and casting ballots) and continues to address today (redistricting, apportionment, annexation, at-large voting); the role Section 5 plays in deterring current and future discriminatory changes; and the enforcement of Section 5's requirements by the Department of Justice.
- ⇒ Examine the Supreme Court's interpretation of the Section 5 pre-clearance requirement under a "retrogressive" standard before being legally enforceable by a covered state or county.
- ⇒ Explore what retrogression means; how it is measured; what Section 5's retrogression standard has meant for covered jurisdictions and the minority citizens it was designed to protect; what it means in the future for minority voters; its effectiveness in ensuring that minorities have the ability to elect candidates of their choice and to participate in the political process, and the safeguards needed to prevent "backsliding" from occurring.

WITNESSES: 11:00 a.m. – Hon. Brad Schlozman, Acting Asst. Atty. General, Civil Rights Division, U.S. Dept. of Justice; **Mr. Edward Blum**, Visiting Fellow, American Enterprise Institute; **Ms. Anita Earls**, Director of Advocacy, U. of North Carolina, Center for Civil Rights; and **Ms. Nina Perales**, Regional Counsel, MALDEF. **2:00 p.m. – Mr. Laughlin McDonald**, Director, ACLU Voting Rights Project; **Mr. Robert Hunter**, Voting Rights Litigator, Hunter, Higgins, Miles, Elam and Benjamin; **Mr. Ronald Keith Gaddie**, Professor of Political Science, Univ. of Oklahoma; and **Mr. Richard Engstrom**, Professor, Univ. of New Orleans.

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